

REMARKS

This Application has been reviewed in light of the Office Action mailed October 20, 2006. All pending Claims 1-45 were rejected in the final Office Action. For at least the reasons provided below, Applicants respectfully request reconsideration and allowance of all pending claims.

Section 103 Rejections

Claims 1, 6-8, 11-17, 22-24, 27-31, 35-38 and 41-45 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,974,134 issued to Park ("*Park*") in view of U.S. Patent No. 6,570,879 issued to Kikuchi ("*Kikuchi*").

In order to establish a *prima facie* case of obviousness, three requirements must be met: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge available to one skilled in the art, to modify a reference or combine multiple references; (2) there must be a reasonable expectation of success; and (3) the prior art reference (or combination of references) must teach or suggest all of the claim limitations. M.P.E.P. § 2143. In the present case, a *prima facie* case of obviousness cannot be maintained at least because *Park* and *Kikuchi*, whether considered singly, in combination with one another, or in combination with information generally available to those of ordinary skill in the art at the time of the invention, fail to disclose all of the elements of the pending claims.

Claim 1 of the present Application recites the following limitations:

A method for sharing distributed media resources, comprising:
determining at a first call manager that a telephony device controlled by the first call manager requires the use of a media resource device;
selecting an appropriate media resource device from a media resource group list associated with the telephony device; and
communicating an allocation request to a device process associated with the selected media resource device, the device process executing at a second call manager controlling the selected media resource device.

Independent Claims 15, 31, and 45 recite similar, although not identical, limitations.

Claim 1 is allowable over the cited references at least because neither *Park* nor *Kikuchi* disclose, teach or suggest “communicating an allocation request to a device process associated with the selected media resource device, the device process executing at a second call manager controlling the selected media resource device.” The Office Action indicates that this limitation is disclosed at Column 4, lines 6-14 of *Park*. However, assuming for the sake of argument that the resource manager 20 of *Park* is a “first call manager,” there is no disclosure in *Park* of a second call manager. Furthermore, there is thus no disclosure that one call manager controls a telephony device requiring the use of a media resource device and that a different call manager controls a selected media resource device. Moreover, there is also no disclosure of any device process executing at a second call manager controlling the selected media resource device. Although Applicants do not believe these limitations are disclosed anywhere in the cited reference, if the Examiner maintains the present rejection, Applicants respectfully request that the Examiner indicate where he believes these limitations are disclosed in *Park* so that Applicants can more fully address the Examiner’s rejection.¹

For at least these reasons, Applicants respectfully submit that Claim 1 is in condition for allowance. Furthermore, independent Claims 15, 31, and 45 recite similar, although not identical, limitations as Claim 1 and are allowable for similar reasons. Therefore, Applicants respectfully request reconsideration and allowance of Claims 1, 15, 31, and 45, as well as the claims that depend from these independent claims.

In addition to depending from an allowable independent claim, several of the dependent claims recite additional limitations that are also not disclosed in the cited references. As an example only and not by way of limitation, dependent Claims 7, 23 and 37 recite that the media resource group list includes a plurality of device names each identifying a media resource device (from Claims 6, 22 and 36), *and accessing a mapping table to determine a process identification (PID) associated with a selected device name, the PID*

¹ In addition, Applicants note that the Office Action indicates that *Kikuchi* teaches “a system of receiving a resource device list at a call manager . . .” Applicants simply wish to note for the record that Claims 1, 15, 31, and 45 do not recite such a limitation.

identifying a device process associated with the media resource device identified by the device name. The Examiner indicates that the italicized language above is disclosed at Column 3, lines 38-49 of *Park*. However, this cited passage discloses “process identifiers” that identify particular *requests* for resources, not resources themselves. Furthermore, there is no disclosure of accessing a mapping table to determine a process identification (PID) associated with a selected device name. For at least this additional reason, Applicants respectfully request reconsideration and allowance of Claims 7, 23 and 37.

As another example, Claims 8, 24 and 38 recite that the media resource group list comprises one or more media resource groups, each media resource group including a list of device names of one or more media resource devices and a device type associated with each device name. The Office Action indicates that these limitations are disclosed in *Kikuchi*. However, the cited passages do not disclose these limitations. The Office Action indicates that the recited “device type” is disclosed in the passages as a “type of QoS the device is requesting.” Applicants respectfully submit that QoS type is not a device type of a media resource device. For at least this additional reason, Applicants respectfully request reconsideration and allowance of Claims 8, 24 and 38.

As yet another example, Claims 14, 30 and 44 recite that the media resource group list associated with a telephony device is received from the telephony device. The Office Action indicates that these limitations are disclosed in *Kikuchi*. However, the cited passage does not disclose these limitations. In the cited passage, a LAN telephone server searches for a list and sends the list to the telephony device. There is no disclosure of a media resource group list associated with a telephony device being *received from* the telephony device. For at least this additional reason, Applicants respectfully request reconsideration and allowance of Claims 14, 30 and 44.

Furthermore, Claims 3-5, 19-21, and 33-35 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Park* in view of *Kikuchi* and further in view of U.S. Patent No. 5,757,781 issued to Gilman et al (“*Gilman*”). In addition, Claims 2, 18 and 32 are rejected

under 35 U.S.C. §103(a) as being unpatentable over *Park* in view of *Kikuchi* and further in view of U.S. Patent No. 6,512,918 issued to Malomsoky ("*Malomsoky*"). Moreover, Claims 9, 25 and 39 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Park* in view of *Kikuchi* and further in view of U.S. Patent No. 6,304,645 issued to Holland ("*Holland*"). Finally, Claims 10, 26 and 40 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Park* in view of *Kikuchi* and further in view of U.S. Patent No. 6,687,234 issued to Shaffer ("*Shaffer*").

Each of these claims depends from one of independent Claims 1, 15, 31, or 45. As discussed above, Applicants believe that these claims are in condition for allowance. Therefore, at least because they depend from an allowable independent claim, Applicants respectfully request reconsideration and allowance of these claims.

CONCLUSION


Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Brian W. Oaks, Attorney for Applicants, at the Examiner's convenience at (214) 953-6986.

No fee is believed to be due. However, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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